

### **REMARKS**

In the *Advisory* Office Action, dated October 18, 2004, the Examiner has rejected claims 1-81. By the present amendment, claims 22, 30, 38, 47, 56, 65, 70 and 76 have been amended. After the present amendment, claims 1-81 are pending in the application. Reconsideration and allowance of pending claims in view of the following remarks are respectfully requested.

#### **A. Rejection of Claims 1, 5, 8 and 22-81 under 35 USC § 102(e)**

The Examiner has rejected claims 1, 5, 8 and 22-81 under 35 USC § 102(e) as being anticipated by Arnaud et al. (USPN 6,650,662) (hereinafter "Arnaud").

Applicant appreciates the Examiner's clarification of his position in the Advisory Action. The Examiner states that the Examiner has relied on the DTMF detector 203 of Arnaud to reject the claims and not the system described in Arnaud, which includes the filter 201 and the compression 204. Although applicant is of the position that Arnaud's teaching must be considered as a whole, and that Arnaud would be inoperable if the DTMF detector 203 is used without the filter 201, applicant respectfully submits that claims 1, 5, 8 and 22-81 of the present application are still patentably distinguishable over Arnaud given the Examiner's present construction of Arnaud for the reasons stated below.

The Examiner states that Arnaud discloses the following element of claim 1 that reads "if the potential DTMF signal does not result in a DTMF detection, promptly transmitting the stored digital packets", at Figure 7 and column 5, lines 61-62 stating "when no DTMF signal is pre-detected" the voice traffic is transmitted after a delay. Applicant respectfully submits that there is a fundamental distinction between the recited element of claim 1 and the cited portion of

Arnaud. The Examiner should note that claim 1 reads “if **the *potential* DTMF signal** does not result in a DTMF detection, promptly transmitting the stored digital packets”, whereas Figure 7 and the cited portion of Arnaud describe the operation of Arnaud “when **no DTMF signal is *pre-detected***.” The ***potential* DTMF signal** of claim 1 means that the DTMF signal has been pre-detected. This is a major difference between Arnaud and claim 1 of the present application, because the DTMF detector 203 of Arnaud does not send any packets to the transmit interface unit 205 if the pre-detected (or potential) DTMF signal is a false DTMF signal. In contrast, method of claim 1 states “if **the *potential* DTMF signal** does not result in a DTMF detection, promptly transmitting the stored digital packets.”

Applicant respectfully submits that the reason Arnaud does not and has no need to “send any packets to the transmit interface unit 205 if the pre-detected (or potential) DTMF signal is not validated” is that once Arnaud pre-detects the DTMF signal, the DTMF detector 203 causes the filter 201 to block out one of the dual tones of each possible DTMF signal, and the filtered digital packets are provided to the transmit interface unit 205 through compression 204 while the DTMF detector is determining whether the pre-detected DTMF signal is a true or false DTMF signal. Since the filtered digital packets are transmitted in parallel with the validation process, Arnaud does not and has no need to transmit any digital packets that have been analyzed by the DTMF detector 203. Therefore, Arnaud does not perform the recited element of claim 1, which reads “if the potential DTMF signal does not result in a DTMF detection, promptly transmitting the stored digital packets.”

Accordingly, claim 1 and its dependent claims 2-16 are patentably distinguishable over Arnaud and should be allowed. Further, independent claims 17 and 19 have limitations similar

to those of claim 1, as described above, and should be allowed at least for the same reasons stated above. Claims 18 and 20-21 depend from claims 17 and 19, respectively, and should be allowed at least for the same reasons claims 17 and 19 are allowable.

By the present amendment, independent claims 22, 30, 38, 47, 56, 65, 70 and 76 have been amended to include limitations similar to the above-recited limitations of claim 1. For example, claim 22 has been amended to recite “stalling said transmission of said digitized samples in response to said detecting said energy indicative of said first frequency tone in said audio signal; determining whether said audio signal includes said DTMF signal in response to said detecting said energy indicative of said first frequency tone in said audio signal; generating a packet indicative of said DTMF signal, discarding said digitized samples and transmitting said packet, in response to said determining that said audio signal includes said DTMF signal; and transmitting said digitized samples stalled by said stalling, in response to said determining that said audio signal does not include said DTMF signal.” Accordingly, claims 22-81 are also patentably distinguishable over Arnaud for the same reasons stated above in conjunction with patentability of claim 1.

**B. Rejection of Claims 2-4, 6, 7, 9, 10 and 17-21 under 35 USC § 103(a)**

The Examiner has rejected claims 2-4, 6, 7, 9, 10 and 17-21 under 35 USC § 103(a) as being unpatentable over Arnaud in view of Kozdon (USPN 6,385,192) (“Kozdon”). Applicants respectfully disagree.

Applicants respectfully submit that claims 2-4, 6, 7, 9, 10 and 17-21 depend from claim 1 and should be allowed at least for the same reasons stated above in conjunction with patentability of claim 1.

**C. Rejection of Claims 11-16 under 35 USC § 103(a)**

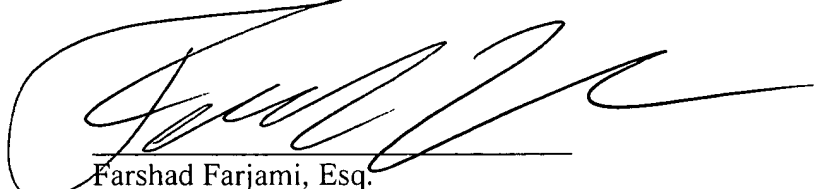
The Examiner has rejected claims 11-16 under 35 USC § 103(a) as being unpatentable over Arnaud in view of Kozdon, and further in view of Schulzrinne (ietf-avt-dtmf-01.txt) (hereinafter "Schulzrinne"). Applicants respectfully disagree.

Applicants respectfully submit that claims 11-16 depend from claim 1 and should be allowed at least for the same reasons stated above in conjunction with patentability of claim 1.

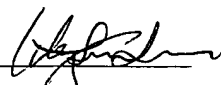
**D. Conclusion**

For all the foregoing reasons, an early allowance of claims 1-81 pending in the present application is respectfully requested. The Examiner is invited to contact the undersigned for any questions.

Respectfully Submitted;  
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